

10/566606

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January 31, 2006

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Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, MS PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Re: Entry into National Stage for:
Intl. Appl. No.: PCT/EP2004/008390
Intl. Filing Date: July 27, 2004
For: **Process for the Preparation of L-Threonine**
Inventor(s): Kruse, *et al.*
Atty. Dkt.: 7601/88007

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Application Data Sheet;
2. A copy of PCT/EP2004/008390 as filed on July 27, 2004, and naming as inventor(s):

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Daniela Kruse
Thomas Hermann
Georg Thierbach
Mechthild Rieping

3. Preliminary Amendment;
4. The marked-up copy of the Substitute Specification;
5. Submission of the Substitute Specification;
6. The Substitute Specification, comprising:
 - 37 pages of Specification (numbered as pages 1-37),
 - 5 pages of Claims (numbered as pages 38-44),
 - a one-page Abstract (numbered as page 45), and
 - 15 pages of Sequence Listing (numbered separately as pages 1-15);
7. A 3.5 inch computer diskette containing a computer readable form of the Sequence Listing;
8. A copy of the PCT Request with a copy of Declaration executed by the inventors attached;
9. A copy of the PCT application, as published, with the International Search Report attached;
10. A copy of the Written Opinion of the International Searching Authority;
11. General Authorization for Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(3);
12. General Authorization to Charge Deposit Account;
13. A copy of PCT/IB/304, Notification Concerning Submission or Transmittal of the Priority Document;

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14. A copy of PCT/IB/308 Notice Informing the Applicant of the Communication of the International Application to the Designated Offices;
15. A copy of PCT/IB/371, Notification Relating to Declaration made under PCT Rule 4.17, confirming the receipt of the Declaration of Inventorship within the time limit under PCT rule 26ter; and
16. Two (2) return postcards.

This application represents U.S. national stage of international application PCT/EP2004/008390, which had an international filing date of July 27, 2004. The international application claims priority to German applications 103 35 253.8, filed on August 1, 2003; 10 2004 023 055.2, filed on May 11, 2004; and 10 2004 028 859.3, filed on June 15, 2004. In addition, the international application claims priority to United States provisional application 60/491,981, filed on August 4, 2003. The present application claims priority to these previously filed counterparts and incorporates them by reference.

In compliance with 37 C.F.R. § 1.821(f), Applicants' undersigned attorney hereby states that the content of the paper and computer readable copies of the Sequence Listing submitted herewith are the same.

The Director is hereby authorized to charge the fees listed below to our Deposit Account No. 06-1135 under Order No. 7601/88007. The Director is also authorized to charge any fee deficiency with respect to this filing and any other fee required in connection with the present case, or credit any overpayment, to our Deposit Account No. 06-1135 under Order No. 7601/88007.

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Fee Calculation

Applicant(s) calculate the filing fee as follows:

	Total		No. Extra	Rate	Fee
Basic National Stage Filing Fee					\$ 300.00
National Stage Search Fee (Search Report prepared and provided to USPTO)					400.00
National Stage Examination Fee					200.00
Natl. Stage Application Size Fee				\$ 250.00	
Claims in Excess of 20	23	20 =	3	\$ 50.00	150.00
Independent Claims in Excess of 3	2	3 =	0	\$ 250.00	0.00
Multiple Dependent Claims Fee				\$ 360.00	0.00
TOTAL FEES DUE					\$ 1,050.00

Correspondence in this case should be directed to Michael A. Sanzo at the address associated with Customer No.:

42798.

It is respectfully requested that the enclosed postpaid postcards be stamped with the serial number and the date the enclosed documents are received by the PTO and that they be returned as soon as possible.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

Michael A. Sanzo

Michael A. Sanzo
Attorney for Applicants
Registration No. 36,912

MAS:ct
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Kruse, *et al.*

U.S. Natl. Phase of: PCT/EP2004/008390

Intl. Filing Date: July 27, 2004

Filed: herewith

Appl. No.: to be assigned

For: **Process for the Preparation of
L-Threonine**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt.: 7601/88007

Submission of Substitute Specification

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, MS PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Submitted herewith is the Substitute Specification. Applicants hereby state that the amendments made to the Substitute Specification do not add new matter to the application, and request that the Substitute Specification be used in future prosecution.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By



Michael A. Sanzo
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Attorney for Applicants

Date January 30, 2006
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